

# Exhibit A

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March 17, 2022

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Re: Jones v. Varsity: Depositions of Bain and Charlesbank

Counsel:

This letter sets forth the respective positions of Bain and Charlesbank as to the depositions of Bain and Charlesbank and their current and former employees. Bain and Charlesbank appreciate the cooperative effort that resulted in the recent filing permitting any depositions of Bain and Charlesbank and their current and former employees to be held through May 7.

As we have indicated to Ms. Malone and Mr. Rayhill on a number of occasions, however, Bain and Charlesbank believe that many of the depositions requested and the sheer number of depositions are unwarranted and, indeed, far disproportional to any needs of the case.

In particular, Plaintiffs have requested depositions of five former and current Bain employees and six former and current Charlesbank employees.

Joseph R. Saveri, Esq., et al.

March 17, 2022

Page 2

As an initial matter, Ms. Steinman and Mr. O'Rourke are no longer employed by Bain and Mr. Kalvelage is no longer employed by Charlesbank. As to the others, Bain will make Mr. Cotton available for deposition on May 5. Charlesbank will make Mr. Beer available on April 19. It is still working on a date for Mr. Janower in the April 19 to May 7 timeframe. Bain and Charlesbank object to the depositions of the others. As sworn evidence that has been submitted to the Court establishes, Mr. Cotton (for Bain) and Mr. Janower and Mr. Beer (for Charlesbank) are more than sufficient to the needs of the case. We are confident that once you have reviewed the materials that are to be produced, you will come to the same conclusion.

Second, as to the 30(b)(6) depositions, Bain and Charlesbank find all of the topics to be, many for multiple reasons. Although Bain and Charlesbank do not object to providing witnesses on appropriate topics under Rule 30(b)(6), they will not do so on the topics as written. We will provide further details on the objections in the near future. Bain and Charlesbank tentatively expect that any 30(b)(6) testimony will be given in conjunction with the depositions of Messrs. Bain, Janower, and Beer as the case may be.

Best regards,

A handwritten signature in black ink, appearing to read "Steven J. Kaiser". The signature is fluid and cursive, with the first name "Steven" and last name "Kaiser" clearly distinguishable.

Steven J. Kaiser